

HAYWOOD FREE

Boise Jury Acquits After
Twenty-one Hours.

VERDICT SURPRISE

Eight for Discharge on the
First Ballot.

BLAME JUDGE'S CHARGE

Western Federation Official, on Gaining Liberty, Rushes to Bedside of Sick Mother—Breaks the News to Moyer and Pettibone—Defendant Extends Thanks to Organized Labor for Its Support—Lawyers for Prosecution and Defense Comment.

Boise, July 28.—Braced for what he knew not what terrible shock, William D. Haywood early this morning heard the clerk of the court read the verdict that made him a free man and acquitted him of complicity in the murder of ex-Gov. Frank Steunenberg.

The surprise was stunning, even to Haywood.

Of all the people in the courtroom when the jury came in, it is probable that not one of them expected an acquittal. It is certain that neither Haywood nor his lawyers looked for it.

Most of the jurors say they could not convict under the court's instructions.

To the prosecution the surprise was not less complete than to the defense. They had been rather looking for a disagreement, with not more than two or three men holding out for Haywood, and when the lawyers and reporters were called in the early morning by telephone messages from the courthouse with the news that the jury was ready to report, after being out twenty-one hours, it seemed certain that some sort of a conviction had been agreed upon. The little group of bleary-eyed lawyers and reporters, worn with the strain of hours of sleepless waiting, hurried into the dingy courtroom.

Courtroom Stunned.

Up to the last word of the verdict, every living soul in the little group would have sworn they were listening to the reading of Bill Haywood's doom. The effect was paralyzing. Compared to it a bolt from the blue would not have been noticed.

But Haywood is free. He says he is going back to Denver in a few days.

One of the first things he did was to visit his sick mother in a local hospital. His appearance was the first news she had of the verdict.

"I'm here, mother," he said, when he entered her room, "and I came alone."

A little later he got the best advice he ever received in his life.

Another inmate of the hospital is little John Murphy, who for years has been the general counsel for the Western Federation of Miners, but now he is dying of consumption. Haywood went to see Murphy as soon as he had left his mother. He bent over the little man and raised him in his arms while he told him the news.

Murphy Gives Advice.

Murphy took Haywood's massive head between his shriveled hands, looked him in the eyes, and said:

"Bill, you're a big, strong man. In your hour of triumph be humble."

On leaving Murphy, Haywood hurried to see his wife.

Judge Wood was in his chambers when the lawyers arrived. Clarence Darrow was one of the first to respond to the call. He looked pale, haggard, and apprehensive, and asked for definite news. There was none. All that everybody knew was that the jury had agreed. It was plain that the lawyer feared the worst.

James H. Hawley, senior prosecutor, arrived a few moments later. He was anxious, too, but clearly expected a conviction. John Nugent, another lawyer for the defense, followed close on Hawley's heels, and Lawyer Richardson, looking white and worried, was not far behind him. Senator Borah did not appear at all.

Haywood Coolest of All.

Meantime word had been sent down stairs to Haywood, and at 7:30 o'clock he followed a deputy sheriff into the courtroom. He was the coolest man in the courtroom. He shook hands calmly with his lawyers and smiled as he did it. Then he sat down in his accustomed chair, between Darrow and Richardson.

Nothing but a continued clapping and unclapping the fingers of his left hand betrayed nervousness.

Judge Wood entered the courtroom and ascended the bench at 7:54.

He wasted no time, but said:

"Mr. Sheriff, order the bailiff to bring in the jury."

Sheriff Hodgins went into the jury room. There was a brief delay, and then about a minute later, Juror Samuel L. Russell appeared at the head of the twelve. There were not more than twenty-five persons in the courtroom as the jurors tramped slowly in.

The instant they took their seats Judge Wood inquired:

"Gentlemen, have you agreed upon your verdict?"

Thomas B. Goss, Foreman.

"We have, your honor," said Juror Thomas B. Goss, who by his responses disclosed for the first time that he had been made foreman.

"You will hand it to the court," said the judge.

"Brace up there now, Bill," whispered Darrow to Haywood.

Foreman Goss put his hand in his pocket, drew out a white envelope,

GIVEN HIS LIBERTY.

William D. Haywood,
Secretary of the Western Federation of Miners.

walked up to the bench, and gave it to the judge. Haywood's one good eye fixed itself upon that momentous envelope as if it was all life held for him. Indeed, it was; but he made no other sign.

Judge Wood opened the envelope, and then remarked:

"I guess you have got the wrong envelope; this one contains no verdict."

Mr. Goss fumbled in his pocket, and pulled out another envelope.

"I got 'em mixed," he said.

Judge Wood took a slip of paper from the second envelope, glanced at it for a moment, and handed it to Clerk Peterson.

Clerk Reads Verdict.

"The clerk will read the verdict," he said.

Clerk Peterson began, in the deathly hush:

"The State of Idaho against William D. Haywood. We, the jury in the above-named case, find the defendant not guilty."

There came a moment of silence, and then a great scraping of chairs. Nearly everybody in the courtroom leaped to his feet. Darrow almost collapsed in his chair, but the next moment he and Richardson both threw their arms about the shoulders of Haywood.

"Bill, you are free!" whispered the Chicago lawyer. "You are free; do you know it?"

Haywood sat perfectly still and said nothing. Apparently, he could not realize the truth. In three seconds he was surrounded by a throng that included about everybody in the courtroom, aside from the judge and the jury.

The jurors grabbed for their hats, and started to leave the box.

Haywood Discharged.

"One moment," said the court, good naturedly. "We are not quite through yet."

And then he added: "Mr. Clerk, you will enter an order discharging this defendant. Mr. Sheriff, adjourn court until 10 o'clock to-morrow morning. The jury is discharged for the term."

As the jurors rose, Haywood seemed still a little dazed, but at a whispered word from Darrow, he stepped forward and shook the hand of each man as he left the box, and thanked him for his verdict. Tears were rolling down his face by this time, but he retained his self-control, and as he spoke his voice was unbroken. After the last juror had been thanked, Haywood was asked if he would make any statement.

"No, sir," he said, "not now. Mother is sick in the hospital, and I'm going to hustle up there the first thing I do."

He grabbed a hat from the row of hats on the wall and started to leave the room, but the hat did not fit him. He took it off, and looked at it.

Some One Gets His Hat.

"Somebody got away with my hat in the mix-up," he said, "but I guess I won't make any kick about it."

Then he ran down the stairs. At the foot of the flight he met Sheriff Hodgins' nine-year-old son. He caught him up and embraced him, and then ran on into the jail to see Pettibone and Moyer. Moyer was shaving at the time, and listened calmly to Haywood's announcement.

"Good," said the president of the Western Federation of Miners, and went on shaving. Pettibone was more demonstrative. He laughed joyfully, and then remarked:

"Well, the bars ain't quite so close together for me, I guess."

Haywood packed his belongings and for the last time walked out of his cell. As he stepped over its threshold, he turned and hung a card up over it. The card read as follows:

"Forget it."

It was in the afternoon he issued his statement.

JUROR GILLMAN'S STORY.

Last Man to Agree to Verdict Discusses the Case.

Boise, Idaho, July 28.—It was Samuel D. Gillman, who sat in chair No. 2, who was the last member of the jury to join in the verdict of acquittal. This is how he told the story of what went on in the jury room:

"It was a hard struggle for me to bring myself to voting with the rest, and I only did it because I was convinced that the others would never change their minds. If Powell had stood by me, I would have held out till kingdom-come, but after he went over to me, I was not much use. When all the other eleven were arrayed against me, I told them I would think it over. I did so for about an hour, and then I said: 'Well, boys, I won't hang out any longer. I know how you will all vote on the next ballot, and I'll vote 'not guilty.'"

Gillman emphasized what McBean had said about the instructions of the court.

"Most of the jurors," he said, "felt as soon as they got into the jury room that they could not convict in the face of Judge Wood's instructions. There was some general talk about the case before we elected Tom Goss foreman. Then we took a first ballot, and it stood eight for acquittal, two for conviction, and two did not vote. Powell and I voted guilty. Burns and Goss did not vote. We did not ballot again until after lunch. Then the vote was the same, except that Goss voted guilty with Powell and me. Burns still refused to vote."

No Middle Verdict.

"Then there was a lot of talk, Powell and I trying to win Burns to our way of thinking, while the rest worked on him from their side. There was not much talk of a second degree verdict. Most of us thought it was one thing or the other. After the exhibits were brought in, Burns voted with the minor-

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William D. Haywood's Statement.

"I appreciate the support of the working class extended to us by workmen throughout the country.

"I hope to be able during the coming year to personally express that appreciation.

"I have no feeling or ill will toward any person.

"I am charitable to all. My intention is to go back to Denver and take up my work.

"I do appreciate the kindness and consideration with which my family has been treated by the people of Boise.

"As to the outcome of the trial, I have never had any fear, and would have expressed yesterday the same belief I expressed when first arrested—that is, with a fair trial and an impartial jury, the verdict would be such as has been given to the country.

"Senator Borah treated me most fairly, and I appreciate it.

"Judge Wood was eminently fair to me, and I have extended to him my thanks.

"I do not in any way blame Gov. Gooding for the position he took.

"In closing, I wish to express appreciation of the wonderful support given to me by the presence in the courtroom during the trial of the representatives of labor."

WIFE KILLS HUSBAND SEEKS LIVES OF FOUR

Joseph Givens, Wealthy Tur-
pentine Operator, Victim.

SHOT FOLLOWS DISAGREEMENT

Pair Quarreled Over the Manner
in Which Woman Had Dressed
Her Hair—Slayer Is Young and
Pretty Member of Old Alabama
Family—May Not Be Prosecuted.

Brewton, Ala., July 28.—Joseph Givens, the wealthiest turpentine operator in Alabama, is dead because he disagreed with his wife as to the style she should adopt in dressing her hair, and expressed that disagreement by pulling the tresses of Mrs. Givens.

Mrs. Givens resented the tug which Mr. Givens gave her hair, and, seizing a shotgun, discharged the contents into her husband's breast, instant death resulting.

According to Mrs. Givens, her husband came home under the influence of liquor. Mrs. Givens had just finished dressing her hair pompadour, and this attracted her husband's attention.

"I told you never to dress your hair that way," Mrs. Givens says her husband shouted.

"Then he caught me by the knees," she continued, "jerked me to his knees, and said he was going to kill me. I broke away and ran, but he followed. Fearing for my life, I picked up the gun and fired. Mr. Givens fell dead, but I had to do it to save my life."

Mrs. Givens is young and pretty, and a member of an old and wealthy family. She has not been arrested, and, it is said, she will not be prosecuted.

Quarrel Near Deathbed.

It is barely possible that the old man heard him, as he made a vague gesture and murmured some unintelligible words. Henry rose with his eyes full of tears. His mother begged him to embrace her, but he refused her repeated requests, and went into the room next to that of his father, Douglas, who had been upset by the scene, entered the room, and begged Henry to lay aside his bitter feeling against his mother. Henry refused, and the brothers exchanged such heated words that Edith made them go to the dining room lest the quarrel should disturb their father's last moments.

Shoots Brothers and Sisters.

There the brothers and sisters tried to calm Henry, but did not succeed. On the contrary, his anger grew more intense, and he pulled a revolver and shot every one, aiming at each member of the family, and wounding all of them. He then turned to flee, but was arrested on the threshold by several men who had heard the shots.

Alonso has a bullet in his head and Elizabeth one in her breast. Both are in a serious condition. Edith was shot in the left arm, and Douglas in the top of the head. Their injuries, however, are not serious.

DITCHES CAR TO SAVE LIVES.

Autoist, Dashing Down Hill Fifty
Miles an Hour, Keeps Head.

Catskill, N. Y., July 28.—The quick thought and coolness of mind of H. A. Thamsen, of New York, saved several lives last night in the Kaaterskill Cove, below Haines Falls.

Mr. Thamsen came up the mountain on Saturday with a 45-horsepower tourist car. He made the ascent of the cove easily, and spent the day viewing the points of interest in the vicinity. At about 6 p. m. he started to descend the mountain to return to the city. The road is narrow, flanked on one side by a steep, rocky wall, on the other it hovers over a 300-foot precipice.

Just after passing the first watering place, the brake refused to work, and Mr. Thamsen also found that his reverse would not act. The heavy car gained momentum rapidly until its speed exceeded fifty miles an hour. Suddenly another car with a party of tourists loomed up, coming in the opposite direction.

Sooner than take any lives, Thamsen took the desperate chance of running his car into the ditch. The car turned turtle, throwing Thamsen about forty feet, and completely wrecking it. Thamsen escaped with slight bruises.

Hope to Identify Negro.

Middletown, N. Y., July 28.—In the effort to identify William Wagner, a colored man, now in the Orange County jail, as Fred, alias "Love," Dunbar, the murderer of E. Hubert Fisher, a merchant of Salisbury, S. C., Mayor George Sawyer, T. K. Livingston, and W. H. Keel, citizens of Middletown, are making a tour of the South. The murder was committed on December 24, 1905.

A la Carte Lunch Served Daily

At Eckstein's from 12 to 3. 1412 N. Y. ave.

Absolute Protection for Silverware.

Family plate, etc., is afforded by the special silver vaults of Union Trust Co., 1414 F. st. n. w. Have wagon call for any silverware you desire stored. Reasonable rates.

FLAMES THREATEN
FAIR CONEY ISLANDFire Destroys Hotels and
Shows Along Ocean Front.

THREE FATALLY HURT

Damage to Property Estimated
at a Million Dollars.

Blaze Starts from Electric Motor in
"Cave of the Winds" Show at
Steeplechase Park, and Spreads to
Henderson's Walk—Fortunate Shift-
ing of Direction of Wind Saves
City from Possible Destruction.

New York, July 28.—Coney Island was as gay as ever to-night, despite the destructive fire of the early morning, which burned over the ground along the ocean front from Steeplechase Park to Henderson's Walk, consisting of twenty-five acres, destroying a number of frail, flimsy hotels and amusement places.

It was the third disastrous fire in eight years.

All that saved the city by the sea was a fortunate shift of the wind and the new system of high-pressure salt water mains.

The fire will cost the lives of three men and perhaps damaged or destroyed property to the extent of \$1,000,000.

The fire broke out at 4 o'clock in the morning in Steeplechase Park. Few people were about at the time. The flames spread with incredible swiftness until there was an area of fire 100 feet long over the front of Steeplechase Park, clearly lighting up Surf avenue and the Bowers. Policemen on duty sent in an alarm. The fire engines quickly responded.

Crazy with Fright.

In half an hour after the breaking out of the fire that section of the island where the flames were jumping was a scene of confusion and terror. Men who were laughing about it afterward did foolish things, clear out of their heads for the moment, like wrapping a pet monkey up in a coverlet and carrying it to the police station, thinking it was a baby; turning the hose on a piano which stood safely enough two hundred yards from the fire lines, or demanding of a profane and frightened policeman what it had done with a pocket-book.

Every narrow little street and alleyway in the path of the rushing flames was clogged by men and women, who laughed, and cursed, and cried, and screamed, out of sheer excitement, as they labored desperately to get their belongings carted or carried out of danger. The firemen and police had some difficulty in driving them away. Those who were burned out, and many more, were taken care of in the best way circumstances allowed by their more fortunate neighbors.

Rake Ruins for Safes.

Despite the panic and excitement and the chance of robbery on every side, there were few cases of theft reported to the police. There was much poking and scraping and turning over of hot ashes this afternoon when the burned-out hotel keepers and showmen hunted for money they had left in safes and boxes.

George C. Tilyou, owner of Steeplechase Park, found his safe all right, but it was too hot to-day to open. He hoped that Saturday's receipts, amounting like \$20,000, he said, would be good currency when he got to them.

Mike Ferris, who runs a little hotel near the Bowers, was still looking for his safe this afternoon. Mike acted as banker for a dozen little showmen in the neighborhood, and they all handed him their receipts late Saturday night. He thought he had about \$15,000 in the box, if it had not been stolen. One little showman, Bill Webber, was not so lucky. A chamois bag containing \$15 went up in smoke.

Starts in Cave of Winds.

The fire started in the "Cave of the Winds" show, at the north of Steeplechase Park. The packing around a motor became overheated and spread fire to the flimsy walls of the building before the watchman, Morris Frost, could stop it. He was burned severely.

From the "Cave of the Winds" the flames jumped to Steeplechase Park, the ballroom, and the skating rink; then to the Coney Island post-office, eating up several little restaurants along Surf avenue, and, then, following the direction of the wind, ran rapidly southeast, burning the Human Roulette Wheel, the Satch Theater, and dozens of chowder stands and eating-places.

Then the flames crossed Tilyou's walk, running eastward, burned a block of shacks between there and Kensington walk, jumped that small passageway, cleaned up the block west of Oceanic walk, kept right on going faster, and finally ran up against the fire wall of Louis Stauch's big restaurant and dance hall at the Bowers and Sesside walk.

There the fire was halted and there the flames practically ended, although it swerved back to Stauch's a little way, burning the picnic pavilion, the baths, and a few small frame buildings up to Uncle Sam's Cannon, leaving the enormous black cannon somewhat scorched and tilted.

Luna Park Anxious.

While the fight was hardest, about 5 o'clock, the fire produced a brilliant spectacle, which could be seen from many miles around. There was a time, at about 5, when it seemed as if Luna Park and Dreamland, as well as the main body of Coney, were sure to catch it. Fred Thompson, owner of Luna Park, had 100 of his employees at fire quarters from the start, ready with fifty lines of hose and Luna's own fire apparatus to get busy if the flames headed that way.

It was the same at Dreamland, and at Stauch's restaurant, directly east of Henderson's, they were even more worried. Henderson's, like Stauch's, is a big, substantial brick and iron building, with heavy fire walls, but there was no telling what would happen if the wind veered.

A dozen firemen were overcome by smoke, and cut or burned slightly during the fight.

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WEATHER FORECAST.

For the District of Columbia
and Maryland—Partly cloudy to-
day, probably occasional showers;
to-morrow, partly cloudy; vari-
able winds.

HERALD NEWS SUMMARY.

Pages. TELEGRAPHIC.

1—Boise Jury Acquits W. D. Haywood.

1—Eleven Die in New York Fire.

1—American in Paris Runs Amuck.

1—Accused Armenian Friend of Priest.

1—Coney Island Suffers from Fire.

1—Alabama Woman Kills Husband.

1—Week's Death Record 698.

1—History of St. Petersburg Murder.

3—Virginia Plans Rate War.

LOCAL.

2—Militia Quits Camps.

2—Colonies Are Big Buyers.

2—Collins Active Again.

2—Police Have Busy Sunday.

5—Japanese Diver to Try Again.

7—Elliott Attacks Fairbanks.

10—Shaft Unveiled to Maj. Stewart.

10—Church Fifty Years Old.

ELEVEN DIE IN FIRE

Twenty-five More Injured in
Blazing Tenement.

SLEEPING LODGERS TRAPPED

Some Leap from the Burning Build-
ing and Others Drop in Smoke-
filled Halls—Victims at the Hospi-
tal Dying—Bodies of Children
Are Picked Up in the Yard.

New York, July 28.—Eleven people were killed and twenty-five or more men, women, and children were badly injured in a fire in a six-story tenement at 212 Christie street, shortly before midnight to-night. It is an old-fashioned tenement, with a grocery store on the ground floor. The dead include six children and five women.

All of the occupants of the building are Italians. The fire started in the grocery store, and spread rapidly up the stairs and in the hallways, trapping the sleeping tenants on the upper floors.

There were four families to a floor, and as Italians huddle in great numbers in a small space, it was hard for the police and firemen to estimate just how many there were in the building.

The firemen on arrival found the stairs leading to the street jammed with a mass of humanity. It was with great difficulty that these stairs were cleared.

Jump for Their Lives.

Five ambulances were summoned and hurried the injured to Gouverneur Hospi-
tal. It was said that many of those taken away were in a dying condition. The firemen persuaded those that gathered on the balconies of the front fire escapes not to jump, but many leaped from the rear of the building before the firemen got there. Two of the dead children were found in the rear yard.

With the assistance of the firemen and police, Capt. Albert Johnson, of the fire patrol No. 7, rescued seven persons, three of them children, and two women, huddled on a fire escape just as the flames were showing in the room behind them, and smoke was rolling out in great volumes.

WEEK'S DEATH HARVEST 698

Remarkable List of Fatalities in
New York and Elsewhere.

Mine Disaster, Shipwreck, and Bat-
tle Lead—Drownings, Murders,
and Suicides Also Heavy.

Week's List of Fatalities.

Murder 4 18 27

Suicide 4 8 12

Drowning 6 21 27

Electrocution 1 2 3

R. R. and trolley ac-
cidents 3 13 16

Automobile accidents 2 6 8

Shipwrecks 0 450 450

Battle 0 96 96

Miscellaneous 6 6 12

Totals 26 672 698

New York, July 28.—As far as the re-
cords go, 698 persons met violent death
during the week just closed, of which
number New York alone contributed 26.

Outside of the mine disasters in Japan
and Sicily, which took off 450, the wreck
of the Columbia, which cost \$5,000,000,
and the clash at arms in the Balkans, which re-
duced the standing armies of the bel-
ligerents by 52, 22 dead were victims of
murder and 27 found death by drowning.

Railroads and trolley cars were on their
good behavior, with but 16 deaths, but
the scorching automobile came to bat
with 8 victims.

Murder, suicide, and the trolley ac-
counted for over one-half of the violent
deaths in New York during the week, the
record for the world, day by day, for the
past seven days, being as follows:

Sunday, July 21—Murders, 4; suicides,
2; killed in battle, 32; drowned, 3; mine
disaster, 50; railroad and other ac-
cidents, 4.

Monday, July 22—Murders, 3; suicides